

## Mississippi Secretary of State

125 South Congress St., P. O. Box 136, Jackson, MS 39205-0136

## ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Division of Medicaid		CONTACT PERSON Margaret Wilson		TELEPHONE NUMBER (601) 359-5248	
ADDRESS 550 High Street, Suite 1000		CITY Jackson		STATE MS	ZIP 39201
EMAIL Margaret.Wilson@medicaid.ms.gov	SUBMIT DATE <b>NOV 03 2016</b>	Name or number of rule(s): Chapter 1: HCBS Elderly and Disabled (E&D) Waiver Rules 1.1, 1.4, 1.6, New Rule 1.13; Chapter 2: HCBS Independent Living (IL) Waiver, Rules 2.1, 2.5, New Rule 2.12; Chapter 3: HCBS Assisted Living (AL) Waiver, Rules 3.4, 3.6, New Rule 3.15; Chapter 4: HCBS Traumatic Brain Injury/Spinal Cord Injury (TBI/SCI) Waiver, Rules 4.1, 4.5, New Rule 4.12; Chapter 5: HCBS Intellectual Disabilities/Developmental Disabilities (ID/DD) Waiver, Rule 5.3, 5.5, 5.8, 5.12, New Rule 5.14; Chapter 7: 1915(i) HCBS, Rule 7.3, 7.5, 7.6, 7.8, 7.9, New Rule 7.10.			

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: This filing is to comply with 42 CFR §§ 441.301(c), 441.710(a) (1)-(2).

Specific legal authority authorizing the promulgation of rule: 20 U.S.C. § 1401, 42 U.S.C. § 1396a, 1396n; 42 C.F.R. § § 431.51, 441.301, 431.53, 440.170(a), 440.180(b)(9), 441.302; Miss. Code Ann. § § 41-4-7, 43-13-117, 43-13-121

List all rules repealed, amended, or suspended by the proposed rule: 1.1, 1.4, 1.6, 1.13, 2.1, 2.5, 2.12, 3.4, 3.6, 3.15, 4.1, 4.5, 4.12, 5.3, 5.5, 5.8, 5.12, 5.14, 7.3, 7.5, 7.6, 7.8, 7.10

## ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: \_\_\_\_\_ Time: \_\_\_\_\_ Place: \_\_\_\_\_

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.


## ECONOMIC IMPACT STATEMENT:

☒ Economic impact statement not required for this rule. ☐ Concise summary of economic impact statement attached.

<b>TEMPORARY RULES</b>  _____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	<b>PROPOSED ACTION ON RULES</b>  <b>Action proposed:</b> <input checked="" type="checkbox"/> New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference <b>Proposed final effective date:</b> _____ 30 days after filing <input checked="" type="checkbox"/> Other (specify): <b>JAN 01 2017</b>	<b>FINAL ACTION ON RULES</b>  <b>Date Proposed Rule Filed:</b> _____ <b>Action taken:</b> _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed <b>Effective date:</b> _____ 30 days after filing _____ Other (specify): _____
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Printed name and Title of person authorized to file rules: David J. Dziefak, Ph.D., Executive Director

Signature of person authorized to file rules: *David J. Dziefak*

<b>OFFICIAL FILING STAMP</b>  <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by	<b>DO NOT WRITE BELOW THIS LINE</b> <b>OFFICIAL FILING STAMP</b> <div style="text-align: center;">  </div> Accepted for filing by <u>#22364</u> <i>[Signature]</i>	<b>OFFICIAL FILING STAMP</b>  <div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by
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The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.